

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

Crl.Rev.Pet.No. 2398 of 2007()

CRA.403/2006 of ADDL. SESSIONS COURT (FAST TRACK)-II, ALAPPUZHA
CC.253/2001 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHERTHALA
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REVN. PETITIONER:

SUBHAGAN, S/O. RAVEENDRAN,
VALLYARAYIL, PANAVALLY PANCHAYATH,
WARD NO.12, CHERTHALA.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

STATE OF KERALA, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
(CRIME NO.19 /2001 OF KUTHIYATHODU POLICE STATION)

BY P.P. SRI C.M. KAMMAPPU.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R. UDAYABHANU, J.

Crl. R.P. No.2398 of 2007

Dated 15th June, 2007

ORDER

The revision petitioner/A1 stands convicted for the offence under section 420 read with 34 IPC and sentenced to undergo simple imprisonment for six months and to pay a compensation of Rs.20,500/- to PW-1 vide section 357(3) Cr.P.C and in default to undergo simple imprisonment for one month.

2. The prosecution case is that the accused, 2 in number, received a sum of Rs.41,000/- from PW-1 promising to arrange a job of Last Grade Servant for PW-3 in the Cochin Port Trust. A2 is absconding. It appears that it was in the above circumstances, that the courts below ordered to pay 50% of the amount allegedly received by the accused as compensation to PW-1.

3. Counsel for the revision petitioner has only pleaded for modification of the sentence. It is submitted that the

revision petitioner is too poor to raise the amount. Actually the amount was received by A2 who is said to be an official.

4. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.25,000/- to PW1 and in default, to undergo simple imprisonment for six months. The revision petitioner is granted 3 months time from today onwards to pay the amount of compensation. He shall appear before the JFCM-I, Cherthala on 10-9-2007 to receive the sentence.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE.

Kvm/-